



#5B/RW
10-29-02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of:

ROGERS, Jack

Appl. No.: 09/910,757

Filed: July 24, 2001

For: **The Translation Enhancer Element
of the Human Amyloid Precursor
Protein Gene**

Art Unit: 1647

Examiner: S. Turner

Atty. Dkt. 7570/73233
(Formerly 81994/282402)

Amendment to Comply with Sequence Listing Rules

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

In response to the Office Action dated September 23, 2002, Applicant is submitting the present Amendment to comply with sequence listing rules.

Amendments

Please delete the Sequence Listing originally filed with the application. Please enter the substitute Sequence Listing enclosed herewith on a separate page following the claims and abstract of the application. A computer readable form of the Sequence Listing is also enclosed.

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Remarks

I. The Amendments

The specification of the application was amended to add a new sequence listing. This was prepared in PatentIn 3.1 rather than the earlier version of PatentIn used in the preparation of the Sequence Listing.

II. Submission of Computer Readable Form of Sequence Listing

Enclosed herewith is a 3.5 inch computer diskette containing a copy of the enclosed Sequence Listing in ASCII text.

III. Statements to Comply With Sequence Listing Rules

In compliance with 37 C.F.R. § 1.821(f), Applicant's undersigned attorney hereby states the content of the paper and computer readable copies of the Sequence Listing submitted herewith are the same. In accordance with 37 C.F.R. § 1.821(g), Applicant's undersigned attorney hereby states that the Sequence Listing submitted herewith does not add new matter to the application.

Conclusion

In light of the amendments and remarks above, Applicant submits that they have now fully complied with all Sequence Listing rules. It is therefore respectfully submitted that this application is now in condition for substantive review. If, in the opinion of the Examiner, a phone call may help to expedite the prosecution of this application, the Examiner is invited to call Applicant's undersigned attorney at (202) 419-7013.

Respectfully submitted,

FITCH, EVEN, TABIN & FLANNERY

By: Michael A. Sanzo
Michael A. Sanzo
Reg. No. 36,912
Attorney for Applicant

Date: October 23, 2002
1801 K St., NW, Suite 401L
Washington, DC 20006
(202)419-7013